

Central Intelligence Agency



Washington, D.C. 20505

Honorable Charles H. Percy, Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

This is in support of your efforts to amend S.854, the "Foreign Missions Act", by inserting a new Section 211 entitled "Presidential Guidelines." The new provision provides that the authorities granted under the terms of the Bill "shall be exercised in accordance with procedures and guidelines approved by the President." Your amendment would guarantee consideration of national security equities, and I support its inclusion in the final version of the Bill passed by the Senate.

Sincerely,

William J. Casey
Director of Central Intelligence

TAB B

AMENDMENT TO PROVIDE FOR
PRESIDENTIAL GUIDELINES

Repeal section 211 as section 212 and insert the following new section:

"PRESIDENTIAL GUIDELINES"

Sec. 211. The authorities granted to the Secretary pursuant to the provisions of this title shall be exercised in accordance with procedures and guidelines approved by the President.

STATEMENT IN SUPPORT OF PROPOSED
AMENDMENT TO PROVIDE FOR PRESIDENTIAL GUIDELINES

In order to assure that the broad national security of foreign policy interests of the United States are fully taken into account, Section 211 (212 under Foreign Relations Committee print) provides that the authorities granted to the Secretary by the provisions of this title shall be exercised in accordance with procedures and guidelines approved by the President. It is the intent of the section, that these procedures include provisions for oversight of the Secretary's administration of Section 204(b) by the National Security Council. These procedures should require the Secretary to obtain the recommendation of and coordinate with appropriate national security and law enforcement agencies on significant decisions, as well as policy matters, and to submit issues in dispute to the NSC for resolution.

It is also intended that the President will issue appropriate guidelines for the exercise of the Secretary's other authorities under this title.

1 any appropriate district court of the United States by injunc-
 2 tive or other equitable relief upon application by the Attorney
 3 General.

4 “(b) Upon the request of any department or
 5 agency of the United States, of any of its States, or
 6 political subdivisions thereof, or of any business or
 7 individual that proposes to enter into a contract or
 8 other transaction with a foreign mission, the Secre-
 9 tary shall determine and certify to such department,
 10 agency, business, or individual whether a foreign
 11 mission is in compliance with the provisions of this
 12 Act.”

13 “SEVERABILITY”

14 “[SEC. 212.] SEC. 211. If any provision of this title
 15 or the application thereof to any person or circumstance is
 16 held invalid, the remainder of this title and the application of
 17 such provision to any other person or circumstance shall not
 18 be affected thereby.”

19 (c) Section 13 of the State Department Basic Authori-
 20 ties Act of 1956 (22 U.S.C. 2684) is amended in the first
 21 sentence by striking out “and” following the semicolon at the
 22 end of clause (3), and by inserting immediately before the
 23 period at the end thereof “; and (5) services and supplies to
 24 carry out title II of this Act”.

II

97TH CONGRESS
1ST SESSION

S. 854

[Report No. 97-283]

To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United States, thereby promoting the secure and efficient operation of United States missions abroad.

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, FEBRUARY 16), 1981

Mr. PERCY (for himself, Mr. GLENN, and Mr. PRESSLER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE 2 (legislative day, JUNE 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of ninety calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

JUNE 4 (legislative day, JUNE 1), 1981

Ordered, that if and when reported, the bill be referred to the Committee on Governmental Affairs for a period of forty-five calendar days, excluding weekends, holidays, and those periods when the Senate is not in session

NOVEMBER 30, 1981

Reported by Mr. PERCY, with amendments

[Omit the part struck through and insert the part printed in *italic*]

NOVEMBER 30, 1981

Referred to the Committee on Governmental Affairs pursuant to the order of
June 4, 1981

A BILL

To promote the orderly conduct of international relations by facilitating the operation of foreign missions in the United

1 priate benefits, privileges, and immunities for those missions
2 and organizations and to require their observance of corre-
3 sponding obligations in accordance with international law.

4 “(c) The assistance to be provided to a foreign mission
5 in the United States shall be determined after due considera-
6 tion of the benefits, privileges, and immunities provided to
7 missions of the United States in the country or territory rep-
8 resented by that foreign mission.

9 “DEFINITIONS

10 “SEC. 202. (a) For purposes of this title—

11 “(1) ‘benefit’ (with respect to a foreign mission)
12 means any acquisition, or authorization for an acquisi-
13 tion, in the United States by or for a foreign mission,
14 including the acquisition of—

15 “(A) real property by purchase, lease, ex-
16 change, construction, or otherwise,

17 “(B) public services, including services relat-
18 ing to customs, importation, and utilities, and the
19 processing of applications or requests relating to
20 public services,

21 “(C) supplies, maintenance, and transporta-
22 tion,

23 “(D) locally engaged staff on a temporary or
24 regular basis,

25 “(E) travel and related services, and

1 “(F) protective services,

2 and includes such other benefits as the Secretary may
3 designate;

4 “(2) ‘chancery’ means the principal offices of a
5 foreign mission used for diplomatic or related purposes,
6 and annexes to such offices (including ancillary offices
7 and support facilities); and includes the site and any
8 building on such site which is used for such purposes;

9 “(3) ‘Director’ means the Director of the Office of
10 Foreign Missions established pursuant to section
11 203(a);

12 “(4) ‘foreign mission’ means any official mission to
13 the United States involving diplomatic, consular, or
14 other governmental activities of—

15 “(A) a foreign government, or

16 “(B) an organization (other than an interna-
17 tional organization, as defined in section 209(b) of
18 this title) representing a territory or political
19 entity which has been granted diplomatic or other
20 official privileges and immunities under the laws
21 of the United States,

22 including any real property of such a mission and in-
23 cluding the personnel of such a mission;

24 “(5) ‘real property’ includes any right, title, or in-
25 terest in or to, or the beneficial use of, any real prop-